



In the United States Patent and Trademark Office

CERTIFICATE OF MAILING

I hereby certify that this correspondence is, on the date below, being deposited with the U.S. Postal Service as first-class mail in an envelope addressed to the Commissioner of Patents & Trademarks, Wash., DC 20231.

Date: 2/15/10

Mark D. Lenhart

Appn. Title: SUBSTANCES THAT ENHANCE RECALL & LUCIDITY DURING DREAMING

Serial Number: 10/604,138

Appn. Filed: 06/27/2003

Patent Agent: Mark D. Lenhart, # 53203

Applicant: Stephen LaBerge

Examiner/GAU: MCMILLIAN, KARA RENITA / 1617

Doc #: ML100

MAIL STOP: AMENDMENT, Commissioner of Patents
P.O. Box 1450, Alexandria, VA 22313-1450

REQUEST FOR CONSIDERATION TO THE OFFICE ACTION OF 10/16/09

REMARKS

The office action of 10/16/09, has been reviewed and its contents respectfully noted. Reconsideration of this case, as amended, is requested. Claims 1, 3-5, and 7-10 remain in this case, claims 2, 6, & 10 being cancelled by this response.

Rejection(s) under 35 U.S.C. §103 (a)

Claims 1-21 are rejected under 35 U.S.c. 103(a) as being unpatentable over Raynie et al. in view of Hedner et al. Applicant respectfully disagrees.

Firstly, the respective inventions cited, US Patents 5,551,879 and 6,034,117 are not in the same fields, with the former being classified in fields 434 & 600, (EDUCATION & SURGERY) and the latter being classified 514 (DRUG, BIO-AFFECTING AND BODY TREATING COMPOSITIONS). The petitioner believes that this mitigates against the likely existence of anyone with ordinary skill in both of these unrelated arts to make the theoretically-obvious connection between lucidity and cholinergic drugs. Lucidity research is an extremely arcane field, and there are extremely few people in the entire world with any skill or knowledge in this rarely studied art. Thus the combination results from such disparate